

Andrew C. Quinn [ACQ-4059]
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NADINE MCKENZIE, Individually, as parent, legal
Guardian and natural guardian of Plaintiff's decedent
SHAMOYA MCKENZIE, and, as Administratrix of the
Estate of Plaintiff's decedent SHAMOYA MCKENZIE

Plaintiff,

-against-

THE CITY OF MOUNT VERNON, THE CITY OF MOUNT
VERNON POLICE DEPARTMENT, THE EMERGENCY
MEDICAL SERVICES OF THE CITY OF MOUNT
VERNON, EMPRESS AMBULANCE SERVICES, DAVID
HARDY, MARQUIS COLLIER, JERMAINE HUGHLEY,
SINCERE SAVOY, and "JOHN DOES" and "JANE DOES",
Names being fictitious intended to be first responders, police,
Police employees/personnel/officers of the City of Mount
Vernon, emergency medical service staff, emergency medical
service personnel, administration, emergency medical service
Administration personnel of the City of Mount Vernon, The
City of Mount Vernon Police Department, and Empress
Medical Services.

Defendants.
-----X

**NOTICE OF
MOTION FOR
DISMISSAL OF
PLAINTIFF'S
COMPLAINT**

18-CV-0603 (VB)

PLEASE TAKE NOTICE that, upon the annexed affirmation of Andrew C. Quinn,
Esq., the exhibits annexed thereto, and the accompanying Memorandum of Law,
Defendants the City of Mount Vernon, the Mount Vernon Police Department, the
Emergency Medical Services of the City of Mount Vernon, and "JOHN DOES" and "JANE
DOES", names being fictitious intended to be first responders, police, police

employees/personnel/officers of the City of Mount Vernon, emergency medical service staff, emergency medical service personnel, administration, emergency medical service administration personnel of the City of Mount Vernon, the City of Mount Vernon Police Department (collectively the "City Defendants"), by their undersigned attorneys, THE QUINN LAW FIRM, PLLC, will move this Court before the Hon. Vincent Briccetti, United States Judge, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, on a day and time to be set by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) for dismissal of plaintiff's complaint for a failure to state a claim upon which relief can be granted and for such other and further relief as this Court may deem just and proper.

Dated: White Plains, New York
March 23, 2018

Respectfully submitted,

THE QUINN LAW FIRM

By:



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